

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CRAIG SWEAT,

Petitioner,

-v.-

3 :05-CV-0221
(TJM)

UNITED STATES OF AMERICA,

Respondent.

APPEARANCES:

OF COUNSEL:

CRAIG SWEAT

Petitioner, *pro se*

06555-052

OFFICE OF THE UNITED STATES

MIROSLAV LOVRIC, ESQ.

ATTORNEY

15 Henry Street

319 Federal Building

Binghamton, NY 13901

THOMAS J. MCAVOY, Senior Judge

DECISION and ORDER

By Order filed November 9, 2006, this Court denied the Motion for Reconsideration brought by Petitioner Craig Sweat. *See* Docket No. 10. Petitioner has appealed the November 9, 2006 Order to the Second Circuit Court of Appeals. *See* Docket No. 12. Presently before the Court is Petitioner's request to proceed *in forma pauperis* during the appeal of his case. *See* Docket No. 11.

Because the Petitioner is indigent, the Court grants Petitioner's request to proceed with this matter *in forma pauperis* for purposes of his appeal to the Second Circuit.¹

¹ Of course, this application is granted subject to the Second Circuit collecting the fees due it in light of the Prison Litigation Reform Act. *See* Pub.L. No. 104-134, 110 Stat. 1321.

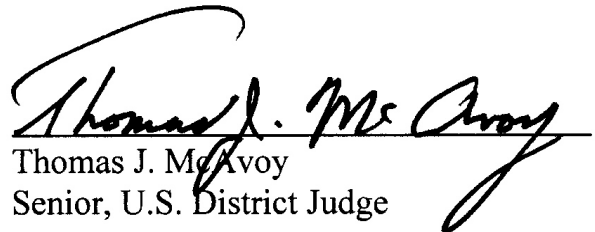
WHEREFORE, it is hereby

ORDERED, that Petitioner's request to proceed with the appeal of this matter *in forma pauperis* (Dkt. No. 11) is **GRANTED**, and it is further

ORDERED, that the Clerk serve a copy of this Order on the parties in accordance with the Local Rules.

IT IS SO ORDERED.

Dated: December 7, 2006


Thomas J. McAvoy
Senior, U.S. District Judge